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**BEFORE THE DIRECTOR OF THE DEPARTMENT OF FINANCE
OF THE STATE OF IDAHO**

STATE OF IDAHO, DEPARTMENT OF)
FINANCE, CONSUMER FINANCE)
BUREAU,)

Complainant,)

vs.)

I Recovery, LLC, a Nevada limited)
liability company,)

Respondent.)

Docket No. 2012-9-19

**ORDER REVOKING COLLECTION
AGENCY LICENSE, AND NOTICE OF
THE OPPORTUNITY TO INITIATE A
CONTESTED CASE AND REQUEST A
HEARING**

The Director of the State of Idaho, Department of Finance (Director), pursuant to the Idaho Collection Agency Act, Idaho Code § 26-2221 *et seq.* (the Act), and in particular §§ 26-2224, and 26-2227, of the Act, and Idaho Code § 67-5254 hereby issues the following Findings of Fact, Conclusions of Law, and Order Revoking Collection Agency License and Notice of the Opportunity for a Hearing.

This Order is effective twenty one (21) days from the date of issuance, unless I Recovery LLC (Respondent) initiates a contested case and requests a hearing pursuant to Idaho Code § 67-5254. The Order is based on the following:

FINDINGS OF FACT

1. Respondent is a Nevada limited liability company holding an Idaho collection agency license, number CCA-8209 since June, 2011. Respondent is in good standing with the Idaho Secretary of State. It conducts collection agency activities from its business address at 7690 W. Cheyenne Ave, Ste 100, Law Vegas, Nevada, 89129. Its managing members are Erik W. Ham and Emily L. Bexten.

2. On July 26, 2012, the State of Idaho, Department of Finance, Consumer Finance Bureau (Department) issued a Deficiency Notice to Respondent because Respondent did not provide a Quarterly Notification of Agents/Collectors Form (Quarterly Report). The Form was due on June 15, 2012, but the Department gave Respondent until July 31, 2012 to file the Report. As of this date, Respondent has not filed the Report.

3. On October 10, 2012, the Department again issued a Deficiency Notice to Respondent because Respondent did not provide a Quarterly Report on September 15, 2012. The Department granted Respondent an extension to October 31, 2012 to file the Report. As of this date, Respondent has not filed the Report.

4. On October 15, 2012, Respondent's surety bond company gave notice to the Department that Respondent's surety bond had been cancelled for non-payment. The Department gave Respondent notice of the cancellation and instructed Respondent to have another surety bond in place by no later than November 15, 2012. As of the date of this Order, Respondent does not have a surety bond in place.

CONCLUSIONS OF LAW AND VIOLATIONS

5. The allegations set forth in paragraphs 1 through 4 above are fully incorporated herein by this reference.

6. Idaho Code § 26-2224(9) requires all licensee applicants to provide a list of the names, business addresses and telephone numbers of all agents who will contact persons or solicit business for the licensee. Idaho Code § 26-2224(13) requires the information required at the time application, to be updated and filed with the Director as necessary to keep the information current. In this regard the Department requires all licensees to provide this information on a quarterly basis. Here, Respondent has not provided the information to update the list of agents contacting persons and soliciting business in Idaho to keep the information current.

7. Idaho Code § 26-2232 requires that prior to the issuance of a collection agency license an applicant shall file a surety bond with the Department. The bond shall be for the term of the license and shall be continuous. Here, Respondent has let its bond lapse during the term of its license.

8. Idaho Code § 26-2227(1) provides “[a]n application for license may be denied, or, after notice and the opportunity for a hearing, a license may be suspended or revoked by the director if he finds that facts or conditions exist which would have justified the director in refusing to grant a license had such facts or conditions been known to exist at the time the license was issued, or that the licensee (l) [d]emonstrates a lack of fitness to engage in business activities authorized for a licensee under this act.”

9. Respondent’s failure to comply with Idaho Code § 26-2224 demonstrates a lack of fitness to engage in business activities authorized by the Act.

10. Respondent's failure to comply with Idaho Code § 26-2232 demonstrates a lack of fitness to engage in business activities authorized by the Act.

11. Based on these facts, the Director finds it appropriate to revoke Respondent's collection agency license pursuant to Idaho Code § 26-2227.

ORDER

NOW, THEREFORE, BASED ON THE FOREGOING FINDINGS OF FACT AND CONCLUSIONS OF LAW, AND PURSUANT TO IDAHO CODE §§ 26-2227 AND 67-5254, IT IS HEREBY ORDERED THAT THE IDAHO COLLECTION AGENCY LICENSE, NUMBER CCA-820, HELD BY I RECOVERY LLC IS HEREBY REVOKED SUBJECT TO PARAGRAPH 12 BELOW. THE ORDER IS EFFECTIVE TWENTY ONE (21) DAYS FROM THE DATE RESPONDENT RECEIVES THIS ORDER, OR, UNLESS RESPONDENT INITIATES A CONTESTED CASE.

NOTICE

12. The Respondent is HEREBY NOTIFIED that the foregoing ORDER REVOKING COLLECTION AGENCY LICENSE is a final order of the Director, subject to Respondent's right to timely initiate a contested case and request a hearing, pursuant to Idaho Code § 26-2227(1) and 67-5254. Such request for a hearing must be in writing and submitted to the Department within twenty one (21) days after the service of this Order. A copy of the request for contested case and hearing shall be served on:

Michael Larsen
Consumer Finance Bureau Chief
Idaho Department of Finance
P.O. Box 83720
Boise, Idaho 83720-0031

A copy of the request for contested case and hearing shall also be served on the Department's counsel in this matter, Brian D. Nicholas, Deputy Attorney General, at the same address.

13. If Respondent timely initiates a contested case and request for hearing, the Department will notify Respondent of the date, time and place of the hearing, as well as the name and contact information of the presiding officer.


14. Any hearing and subsequent proceedings in this matter will be conducted in accordance with the Idaho Administrative Procedure Act, Idaho Code § 67-5201 *et seq.*

IT IS SO ORDERED.

DATED this 29th day of NOVEMBER, 2012.



STATE OF IDAHO
DEPARTMENT OF FINANCE




GAVIN M. GEE, Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of November, 2012, I served a true and correct copy of the foregoing ORDER REVOKING COLLECTION AGENCY LICENSE, AND NOTICE OF THE OPPORTUNITY TO INITIATE A CONTESTED CASE AND REQUEST A HEARING on the following by the designated means:

I Recovery LLC
7690 W. Cheyenne Ave Ste 100
Las Vegas, NV 89129

- U.S. Mail, postage prepaid
- Certified mail
- Facsimile: (858)304-5613
- Email: web-visitor@irecovery.com
- Email: complaints@irecovery.com



Stephanie Sze/Paralegal